

**Special Meeting Minutes
Wednesday, June 24, 2009
Meeting Scheduled Start Time: 4:00 PM**

**BOARD OF SUPERVISORS
Maricopa County, Arizona
(and the Boards of Directors of the Flood Control
District, Library District, Stadium District, Improvement
Districts, and/or Board of Deposit)**



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Max Wilson, District 4, Chairman
Fulton Brock, District 1
Don Stapley, District 2
Andrew Kunasek, District 3
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Sullivan Conference Room
301 W. Jefferson, 10th floor
Phoenix, Arizona 85003

BOARD OF SUPERVISORS

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 4:10 PM on Wednesday, June 24, 2009, in the Supervisors' Conference Room, the meeting having been reset from the Sullivan Conference Room at the Chairman's request, and with notice given to the members of the public who had arrived. The following members were present: Max Wilson, Chairman, District 4; Fulton Brock, District 1; Andrew Kunasek, District 3 (attended telephonically). Absent: Don Stapley, Vice Chairman, District 2; Mary Rose Wilcox, District 5. Also present: Constance Copeland, Deputy Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

The Deputy Clerk read the following statement for members of the County Attorney's Office attending any of the items on this agenda.

For the record, the Board has previously expressed concerns about the adversarial positions that the county attorney's office has often taken against the Board. This concern has caused the Board to retain independent counsel to analyze this apparent ethical conflict and to take actions that may be warranted. The analysis and response is ongoing. The County Attorney's Office is in attendance to advise the Board as they proceed with the meeting. In light of the stated concerns, the Board in no way waives any conflict or ethical issues that exist as a result of the county attorney's presence.

County Attorney

1. ACCEPT FUNDING FROM STATE OF ARIZONA

Pursuant to Laws 2008, Chapter 285, 48th Legislature, 2nd Regular Session, House Bill 2209, approve the receipt of \$1,430,000 by the Maricopa County Attorney's Office from the State of Arizona to enforce immigration related matters and the provisions of Laws 2008, Chapter 152, 48th Legislature, 2nd Regular Session, House Bill 2745. This funding is effective July 1, 2008, and is exempt from the provisions of A.R.S. 35-190, relating to lapsing of appropriations.

This funding is a direct appropriation received from the State of Arizona through the Arizona Department of Administration. The Department of Finance has established an indirect cost recovery rate of 14% for the County Attorney's Office. In accordance with

Maricopa County grant policy, the County Attorney will recover 14% in indirect costs from this funding, totaling \$200,200.

This funding does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

House Bill 2209 appropriates money from the state general fund to be distributed to all county attorneys to enforce the state laws that imposes sanctions on employers who knowingly or intentionally hire unauthorized aliens. The Legal Arizona Workers Act, originally passed in 2007, was amended in accordance with House Bill 2745. House Bill 2209 provides that the Maricopa County Attorney's Office receive the sum of \$1,430,000.00. It is anticipated that a portion of these funds will be transferred to the Sheriff's Office on a reimbursement basis to fund investigation and enforcement efforts in connection with violations of A.R.S. 23-212. (C-19-09-052-2-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilson
Absent: Stapley, Wilcox

Sheriff

2. EXTEND TERM AND INCREASE AMOUNT OF FUNDING FROM THE MARICOPA COUNTY ATTORNEY'S OFFICE FOR LEGAL ARIZONA WORKERS ACT

Approve an extension to the term and an increase of reimbursement funding not to exceed \$700,000 from the Maricopa County Attorney's Office for continuation of the "Legal Arizona Workers Act" pursuant to House Bill 2779 by the State of Arizona.

This funding will be administered by the Maricopa County Attorney's Office. The new term will be January 1, 2008 through June 30, 2010. (C-50-08-540-3-02)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Kunasek
Ayes: Kunasek, Brock, Wilson
Absent: Stapley, Wilcox

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned at 4:15 p.m.

Max W. Wilson, Chairman of the Board

ATTEST:

Constance Copeland, Deputy Clerk of the Board